



Express Mail Certificate No. EV 331 981 235 US
Docket No. 21272-502

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Asundi et al.

Serial No: 10/084,643

Filed: February 26, 2002

For: NOVEL NUCLEIC ACIDS
AND POLYPEPTIDES

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that this correspondence and any documents referred to as being enclosed therewith are being deposited with the U.S. Postal Service on **April 28, 2003**, in an envelope addressed to: Mail Stop SEQUENCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, utilizing the "Express Mail Post Office to Addressee" service of the U.S. Postal Service under Express Mail Label No. EV 331 981 261 US.

Name of Person signing Certificate: Donna B. Rose

Donna B. Rose

Signature of Person Mailing

PETITION UNDER 37 C.F.R. 1.137(b) FOR REVIVAL OF
AN UNINTENTIONALLY ABANDONED PATENT APPLICATION

Mail Stop SEQUENCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-identified application became unintentionally abandoned for failure to timely reply to a notice or action by the Patent Office, to which a reply was due on December 9, 2002 (including a 5 month extension of time). The date of abandonment is the day after the expiration date of the period set for reply in the notice or action plus extensions of time actually obtained.

Applicants hereby petition for revival of this application. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

Enclosed is the required reply and fee in the form of:

1. Copy of Notice to File Missing Parts dated May 9 2002;
2. Executed Declaration for Patent Application and Power of Attorney for all inventors;
3. Substitute Specification;
4. Marked-up Version of originally filed Specification showing changes;
5. Preliminary Amendment;
6. Petition for five (5) month extension of time to file Missing Parts of Application;
7. Petition for one (1) month extension of time to file Response to Paper No. 8 mailed on January 29, 2003 from the Office of Petitions;
8. Four (4) CD-ROMs containing the Sequence Listing;
9. Statement under 37 CFR §1.52(e)(3);
10. Statement Regarding Sequence Listing under 37 CFR §§1.821(F); and
11. Return postcard.


Applicants claim small entity status under 37 C.F.R. 1.27.

The Commissioner is hereby authorized to charge the requisite Petition fee due as a small entity under 37 C.F.R. 1.17(m). Further, the Commissioner is also authorized to charge any other fees due in connection with this filing to Deposit Account No. 50-1169.

No terminal disclaimer is believed to be due under 37 C.F.R. 1.137(d) because this application was filed after June 8, 1995.

Respectfully submitted,

Date: April 28, 2003

By: 
Elena Quertermous, Ph.D.
Agent for Applicants
Reg. No. 47,873
NUVELO, formerly HYSEQ, INC.
675 Almanor Avenue
Sunnyvale, CA 94085
(408) 215-4000
(408) 524-8145 (Telefacsimile)